



GETTING STARTED WITH SAFETY & HEALTH

GUIDANCE

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INTRODUCTION

The Workers Compensation Management Bureau, within the Department of Administration, developed this guidance to assist State of Montana agencies in creating a safety and health program. It explains actions you can take to create the basis of a safety program. This guide provides the basic information on what you need to do. It will help you to get started in managing safety and health in your organization.

Stop check!

This guide includes ‘Stop check!’ boxes – they tell you when you may need to take extra steps and provide signposts to more detailed guidance.

PUBLIC SECTOR LEGAL REQUIREMENTS

Safety and health policies are the law for public and private sector employers.

Montana is under federal OSHA jurisdiction which covers most private sector workers within the state. State and local government workers are not covered by federal OSHA. However, the Montana legislature enacted the Montana Safety Culture Act (MCA 39-71-1505) which provides rulemaking authority and defines the requirements of a Health and Safety program for state and local governmental employers. The Montana Department of Labor and Industry adopts a safety code for every place of employment conducted by a public-sector employer. This safety code adopts by reference the following occupational safety and health standards from the federal Occupational Safety and Health Administration Act, (Code of Federal Regulations, as of July 1, 2014, Title 29, Parts 1910 and 1926).

The Montana Safety Culture Act requires management to implement an effective safety and health program and to communicate its commitment to the safety and health of its employees as an organizational goal. For employers with more than 5 employees, this commitment requires development of policies and procedures that assign specific safety responsibilities and safety performance accountability. Procedures should outline the steps to report, investigate and take corrective action of work-related incidents, injuries, fatalities and known unsafe work conditions. This requirement for safety policies and procedures mirror the requirement outlined in federal OSHA for private sector employers.

DECIDE WHO WILL HELP YOU WITH YOUR DUTIES

Deciding what help, you need is very important. Unless you are clear about what you want, you probably won't get the help you need.

There are several factors which will impact your decision on who will help you.

If you have 5 or more employees, then under the Montana Safety Culture Act you will have additional responsibilities for state government entities.

If your organization has over 5 employees this does not mean you must immediately recruit a qualified occupational safety person, however the law does require you provide a safe workplace.

If you are a large organization, you may have several safety positions. Regional safety managers, site safety managers, site safety coordinators and safety leads.

Smaller organizations may only have one safety person, this could be the owner of the organization or the senior person. The smaller organizations may ask one or 2 employees to assist in ensuring a safe workplace. Alternatively, you can engage a safety consultant or ask your workers compensation safety management consultant.

Engaging a safety consultant helps if you are a small business, need an interim manager while the safety manager is away, creates a fresh pair of eyes on your safety program and can be more cost effective as you are using their services when required rather than employing a full time safety person.

- Along with safety managers you may decide you need safety coordinators who support and assist site managers in providing a safe working environment.
- Who will train employees, will the training be in house or outsourced? Who will ensure safety is being managed at a site level, office level, field level?
- Who will oversee your safety program and review it for effectiveness?

- Overall, the safety program will need the authority to act. A senior person to issue the authority to make and effect change and to shut down operations if necessary.

Stop check!

The level of responsibility increases the higher you are in the organization. A lower level employee has little authority to make changes that affect the workforce's safety. A director has the authority to make changes that could affect safety. Managers are integral to ensuring a safe workplace. They are the interface between senior management and the workforce.

On the Workers Compensation Management Bureau website there are various guidance documents to help managers manage safety. Alternatively, you can contact them and request training for your managers in how to "Manage Safety". Please contact Lisa Brooks 406-444-0122.

WRITE A SAFETY & HEALTH POLICY

Describing how you will manage safety in your organization will let your staff and others know about your commitment to safety. It will let them know what is expected of them and what their responsibilities are in maintaining safety in the workplace. This will be your safety and health policy. It should clearly state who does what, when and how. We cannot take the correct action if we do not know what is expected of us.

The policy does not need to be complicated or time-consuming. To help you, we have provided an example safety and health policy statement to give you an idea of what to include when writing your own.

We have also written guidance on writing a safety and health policy

Stop check!

A safety and health policy is a living document and will only be effective if you and your employees are aware of its content and if it is reviewed regularly.

On the Montana Workers Compensation Management Bureau website, there is a guidance document on writing a safety and health policy and a toolkit which shows you what should be in your policy and why.

CREATE A SAFETY COMMITTEE

When setting up your safety Committee, ensure your committee is composed of employee and employer representatives from every level and department within your organization. The Montana safety culture act requires meetings should be scheduled at least every 4 months. We recommend every 2 months.

The safety committee should:

- Be of sufficient size to provide for effective representation of the workforce.
- Have more than one safety committee for employers with multiple sites.
- Include in its employee membership, volunteers or members elected by their peers.
- Management representatives from all levels and areas of the organization.
- Include safety committee activities that assist the employer in fact finding.
- Members should be trained in their responsibilities as a committee member.

The safety committee should document activities, and act as a fact-finding body and report to the employer regarding:

- Assessing and controlling hazards.
- Assessing hazard and risk in the work area.
- Assessing safety training and awareness topics.
- Communicating with employees regarding safety committee activities.
- Developing safety rules, policies and procedures.
- Educating employees on simple safety related topics.
- Evaluating the safety program on a regular basis.
- Inspecting the workplace.
- Keeping job-specific training current.
- Motivating employees to create a safe culture in the workplace.
- Reviewing workplace incidents, injuries, illnesses and fatalities.

Stop check!

It is important when facilitating a safety committee, that members are chosen by the workforce and receive training and information on safety and their duties to the employees and the committee.

On the Montana Workers Compensation Management Bureau website there is a guidance document on safety committees.

CONTROL THE RISK IN YOUR ORGANIZATION

You should control the occupational safety risks in your workplace. To do this you need to think about what, in your organization, might cause harm to people and decide whether you are taking reasonable steps to prevent that harm. A risk assessment is not about creating huge amounts of paperwork, but rather about identifying sensible measures to control the risks in your workplace. You should record your significant findings. Keep it simple and focus on controls.

A good starting point is to walk around your workplace or area and look for any hazards. Then think about the risk, which is the chance, high or low, of somebody being harmed by a hazard, and how serious the harm could be. Think about how accidents could happen and who might be harmed. Ask

your employees what they think the hazards are, they may have some good ideas on how to control the risks. Consider the measures you are already taking to control the risks and ask if you have covered all you need to do. A job hazard analysis may be required for certain high-risk jobs. Once you have identified the risks and what you need to do to control them, you should put the appropriate measures in place. Then record your findings.

Stop check! Don't forget to consider everyone who could be harmed

- Think about homeworkers, and people who might not be in the workplace all the time, such as visitors, contractors and maintenance workers.
- Take members of the public into account, if they could be hurt by your work activities.
- If you share a workplace with another organization, you will need to consider how your work affects others and how their work affects you and your staff.
- For some activities that are recognized to carry high risks there are control measures beyond those set out in this guide that are required by law. The OSHA website has information on specific activities and industries.
- A few examples are working at height, working with chemicals or other dangerous substances, working with machinery, gas, electricity and asbestos or working within explosive atmospheres.
- If you carry out a high-risk activity, check whether you need to obtain a license or notify someone before you start work.
- More information can be found on the OSHA website.

COMMUNICATE WITH YOUR EMPLOYEES

Communicate with all your employees on safety. This does not need to be complicated. You can do this by listening and talking to them about the work they do.

Some example questions are:

- How is your day going?
- What do you find the most difficult part of your day or work?
- How do you think we could improve on that?
- Have you noticed anything that could cause an injury? (give examples such as damaged equipment)

Communication is a two-way process. Allowing staff to raise concerns and influence decisions on the management of safety creates trust between the organization, managers, and employees. Employees are more likely to express their concerns if they feel they will be listened to. Your employees are often the best people to understand risks in the workplace and involving them in making decisions shows them that you take their safety seriously.

RAISE AWARENESS

Develop an awareness and appreciation of safety for hazard and risk assessment through tools such as newsletters, periodic safety meetings, toolbox talks, posters, safety incentive programs and surveys. Use technology where possible. Safety apps, customer satisfaction surveys, survey monkey.

Smaller organizations or departments can add safety to their staff meetings or have a safety chat at the start of the day or at staff meetings.

Stop check!

Work with employees and identify a timetable of opportunities to communicate on safety.

When raising awareness, use a variety of tools over a period of time to promote awareness.

Safety conversations don't have to take long and can be built upon day by day.

On the Montana Workers Compensation Management Bureau website there is guidance on involving your employees in safety.

PROVIDE TRAINING & INFORMATION

Everyone who works for you needs to know how to work safely and without risks to their health. You must provide clear instruction and information, and adequate training for your employees. Consider how much training is necessary. A proportionate approach is needed. For example, a low-risk organization would not need lengthy technical training. Providing simple information or instruction is likely enough. Don't forget seasonal and temporary people who may be working for you. Make sure everyone has the right level of information on:

- hazards and risks they may face;
- measures in place to deal with those hazards and risks;
- how to follow emergency procedures.

When you provide training, ask your employees for feedback. This will help to assess the quality of the training and ensure it's relevant. After you have completed the training it is always good practice to assess what the employees have understood. Ask them questions throughout the training and at the end. You could do a simple written assessment at the end.

Keeping training records is a legal requirement and will help you to identify when refresher training might be needed. The information and training you provide should be in a form that is easy to understand.

Safety training should take place during working hours. There are many external trainers who will be able to help you with your training needs, but effective training can often be done 'in-house'. Training must be

relevant to the work being performed and regularly refreshed. More information on the minimum training requirements can be found in the Montana Safety Culture Act.

HEALTH

Stop check!

Stop check! When training staff remember more attention or training may be required to some staff members.

- new recruits;
- Employees with disabilities;
- people changing jobs or taking on extra responsibilities;
- young employees, who are particularly vulnerable to accidents;
- health and safety representatives;
- when new equipment is introduced;
- after an incident; and
- when an injury may affect the employee's ability to perform their role.

To have a healthy working environment, make sure there is:

- good ventilation – a supply of fresh, clean air drawn from outside or a ventilation system;
- a reasonable working temperature;
- lighting suitable for the work being carried out;
- Adequate working space, suitable workstations and seating;
- a clean workplace with appropriate waste containers.

SAFETY

To keep your workplace safe:

- properly maintain your premises and work equipment;
- periodically inspect the work areas;
- keep floors and traffic routes free from obstruction, good housekeeping;

Providing new and existing employees task specific training is a requirement of the Montana Safety Culture Act.

Stop check!

It is a legal requirement to periodically inspect all work areas, equipment, tools, lifting equipment and personal protective equipment.

PLAN FOR FIRST AID, INCIDENTS & ILL HEALTH

First aid

Put first-aid arrangements in place. Make sure your employees receive immediate attention if they become ill or are injured at work. Accidents and illness can happen at any time and first aid can save lives and prevent minor injuries from becoming major ones. Your arrangements will depend on the circumstances in your workplace and you need to assess what your first-aid needs are. As a minimum, you should have:

- a suitably stocked first-aid box;
- AED's and CPR trained employees;
- a person to oversee first-aid arrangements;
- Information for all employees giving details on first-aid arrangements and emergency response.

You might decide that you need a first aid person. This is someone who has been trained by a competent first-aid training provider. Ensure all first aid trained people are easily identifiable. In an emergency this will save time.

INCIDENTS & NEAR MISS

All incidents that result in an injury must be investigated, reported to a supervisor and the first report of injury completed and filed with the workers compensation insurer within 24 hours of the incident. All incidents that do not result in an injury, a near miss, need to be reported to a supervisor and investigated to ensure they do not happen again. Implement and maintain procedures for reporting, investigating and taking corrective action on all work-related incidents, injuries, illnesses, fatalities and known unsafe work conditions or practices.

Stop check!

Stop check! Procedures should be non-punitive and include:

- Provisions for timely and effective reporting:
- Recommendations and follow up for corrective actions:
- Documented:
- A periodic evaluation of the procedure's effectiveness.

DISPLAY THE SAFETY & HEALTH POSTER

- You must display the safety and health law poster in your workplace.
- You must display the poster where your workers can easily read it.
- You must display a copy of your workers' compensation insurance posting.
- You must display your OSHA 300A form from January 1 thru April 30 each year.

GET INSURANCE FOR YOUR ORGANIZATION

If your organization has employees, you will need workers' compensation insurance.

Workers' Compensation is a form of insurance providing wage replacement and medical benefits to employees suffering a traumatic injury or illness in the course and scope of employment.

If an employee is injured or becomes ill because of the work they do, a first report of injury must be filed with your workers compensation insurance provider.

A First Report of Injury must be completed with the employee's supervisor and submitted to the insurer within 24 hours of the injury or illness.

KEEP YOUR ORGANIZATION UP TO DATE

Following news and events in your industry will help you keep your safety programs, risk assessments and job hazard analysis up to date on items impacting your business.

There are many ways to keep up to date:

- Emails and magazine subscriptions to local and national safety organizations.
- Subscribe to OSHA.
- Join a safety organization, such as American Society of Safety Professionals ASSP.

FURTHER GUIDANCE

[OSHA Recommended Practices for Safety & Health Programs](#)

[Montana Department of Labor & Industry](#)

[Montana Safety Culture Act](#)

[Montana Workers Compensation Bureau - for state agencies](#)